

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

SHINSHO AMERICAN CORPORATION §
§
Plaintiff, §
§
vs. § CIVIL ACTION NO. 4:20-cv-00577
§
HYQUALITY ALLOYS, LLC § JURY DEMAND
§
Defendant. §

DECLARATION OF YASUNORI ITOH

I, Yasunori Itoh, declare as follows:

1. My name is Yasunori Itoh. My date of birth is May 13, 1983. My address is Shinsho American Corporation, 26200 Town Center Drive, Suite 220, Novi, MI 48375. I am the Sales Manager of Shinsho American Corporation (“Shinsho”). In that capacity, I have been personally and directly involved in Shinsho’s relationship with HYQuality Alloys, LLC (“HQA”) as relates to the facility on Tamina Road in Magnolia, Texas (the “HQA Facility”). Based on that personal involvement, I have personal knowledge of all statements of fact in this Declaration, and, to the best of my knowledge, all such statements are true and correct.

2. I am aware that the Court has entered an Agreed Protective Order (the “PI Order”) that established a process by which HQA is permitted to sell certain steel bars governed by the PI Order, defined in the PI Order as “Subject Bars.” For at least the past eight months, I have been Shinsho’s primary contact with HQA in connection with any such transactions. My primary contact at HQA has been Angela Graziano.

3. As part of my job responsibilities, I maintain a chart that documents information related to HQA’s sale of Subject Bars. For each particular sale, this information includes the date HQA shipped the Subject Bar from HQA’s facility, and the date when HQA remitted payment to Shinsho for that Subject Bar. An excerpt of the chart is attached to this declaration.

4. As indicated on the attached chart, on April 7, 2021, HQA shipped three Subject Bars from their facility with a value of approximately \$14,000. HQA did not remit payment to Shinsho for these bars until two days later, on April 9, 2021. On April 8, 2021, HQA shipped a Subject Bar from HQA’s facility with a value of approximately \$4,300, but did not remit payment to Shinsho for this bar until April 9, 2021. On April 9, 2021, HQA shipped two Subject Bars from HQA’s facility with a value of approximately \$15,000, but did not remit payment to Shinsho for these bars until April 12, 2021. On April 12, 2021, HQA shipped two Subject Bars from HQA’s facility with a value of approximately \$13,000, but did not remit payment to Shinsho for these bars until April 13, 2021.

Exhibit

1

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Dated: May 14, 2021.

A handwritten signature in black ink, appearing to read "Yasunori Itoh".

Yasunori Itoh